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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 9988.081.00	
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]</p> <p>on _____</p> <p>Signature _____</p> <p>Typed or printed name _____</p>		Application Number 10/717,974	Filed 11/21/2003
		First Named Inventor 10/717,974	
		Art Unit 3637	Examiner J. O. Hansen
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
<p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input type="checkbox"/> attorney or agent of record. Registration number _____</p> <p><input checked="" type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 <u>42,766</u></p>		<p><u>Valerie P. Hayes</u> ^{Reg. No. 53,005} Signature</p> <p>for <u>Mark R. Kresloff</u> Typed or printed name</p> <p><u>(202) 496-7513</u> Telephone number</p> <p><u>March 31, 2006</u> Date</p>	
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			
<p><input type="checkbox"/> *Total of _____ forms are submitted.</p>			

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.0. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No.: 9988.081.00-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KIM, Bo Yoen

Customer No.: 30827

Application No.: 10/717,974

Confirmation No.: 8004

Filed: November 21, 2003

Art Unit: 3637

For: CABINET COVER OF HOME APPLIANCE

Examiner: James Orville Hansen

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRE-APPEAL REQUEST FOR REVIEW

Sir:

The Applicant requests a review of the final Office Action dated October 3, 2005 for the reasons discussed below.

The Office Action rejected claims 1-11 under 35 U.S.C. § 102(b) as being anticipated by Figures 1-4 of the *Applicant's Related Art* (hereinafter "the *ARA*"). In addition, the Office Action rejected claims 1-11 under 35 U.S.C. § 103(a) as being unpatentable over the *ARA* in view of U.S. Patent No. 6,018,131 to *Snider* (hereinafter "*Snider*"). Claim 1 is an independent claim and claims 2-6 depend therefrom; claim 7 is an independent claim with claim 8 depending therefrom; and claim 9 is an independent claim where claims 10 and 11 depend from claim 9. Claim 1 recites a cabinet cover comprising, among other features, an aesthetic member where "a peripheral edge of the aesthetic member is attached to a rear side of said cabinet cover body with a joint formed by welding." Claim 7 recites an appliance cabinet cover comprising, among other features, an aesthetic member attached to a rear of a cabinet cover body with "a joint formed by welding, wherein the joint is disposed about a peripheral edge of the aesthetic member." Claim 9

recites a cabinet cover having an aesthetic member “wherein said aesthetic member is welded to the rear side of said cabinet cover body at a peripheral edge of said aesthetic member.”

In maintaining the rejection, the Office Action indicates that “since the attaching means is not functionally related in a new or unobvious way to the substrate upon which it is located [merely used to attach the member to the body], the attaching means will not distinguish the invention from the prior art in terms of patentability. Therefore, the limitations “formed by welding... . . .have not been given patentable weight.” *See e.g.*, the Office Action at page 3. The Applicant submits that the Office Action has not provided any evidence supporting this allegation. Without any support, this allegation lacks merit. In fact, in the rejection under 35 U.S.C. § 103, the Office Action contradicts this position and gives this feature patentable weight by indicating that the *ARA* “does not state the prescribed method of attaching the member to the body” and refers to *Snider*.

The *ARA* is consistent with the position regarding that it does not state the prescribed method for attaching the member to the body. While the *ARA* discloses an aesthetic member 14 having welding marks C, as may be clearly seen with reference to Figure 3, the welding marks C are not at a peripheral edge of the aesthetic member 14. At most, the welding marks C are at an inner front portion and an inner rear portion of the aesthetic member 14, well away from a peripheral edge of the aesthetic member 14.

In addition, claim 1 recites “a front side of said aesthetic member is attached to the rear side of the cabinet cover body by an adhesive agent.” Moreover, claim 9 recites “wherein the front-side peripheral surface of said aesthetic member is attached by an adhesive agent to the rear side of the cabinet cover body.” The *ARA* does not disclose this feature.

In maintaining the rejection, the Office Action indicates that “a front side of the member is attached to the rear side of the cabinet cover body (see fig. 3) by an adhesive agent

(B)." *See e.g.*, the Office Action at page 3. The *ARA* does not disclose this feature. Instead, the *ARA* discloses that an adhesive agent B is disposed at an outer edge of the aesthetic member 14.

Regarding the rejection under 35 U.S.C. § 103(a), as previously mentioned, the *ARA* does not disclose the feature of a joint formed by welding at a peripheral edge of the aesthetic member. Similarly, *Snider* does not disclose this feature. While *Snider* does disclose a lens 60 having ultrasonic welds along lines 66, *Snider* does not disclose welds at a peripheral edge.

In light of the remarks noted above, the Applicant submits that the pending claims are patentable over the prior art cited in the October 3, 2005 final Office Action. Accordingly, the Applicant respectfully requests that the PTO issue a Notice of Allowance or a new Office Action.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: March 31, 2006

Respectfully submitted,

By Valerie P. Hayes ^{Re. No.}
Mark R. Kresloff
for
Registration No.: 42,766
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006

Attorney for Applicant